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*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BOURNE CO., :

Plaintiff, :

-against- :

TWENTIETH CENTURY FOX FILM : 07 Civ. 8580 (DAB)  
CORPORATION, FOX BROADCASTING :  
COMPANY, TWENTIETH CENTURY FOX : **DECLARATION OF**  
TELEVISION, INC., TWENTIETH : **RICKY BLITT IN SUPPORT OF**  
CENTURY FOX HOME : **DEFENDANTS' MOTION FOR**  
ENTERTAINMENT, INC., FUZZY DOOR : **SUMMARY JUDGMENT**  
PRODUCTIONS, INC., THE CARTOON :  
NETWORK, INC., SETH MACFARLANE, :  
WALTER MURPHY, :

Defendants. :

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I, RICKY BLITT, hereby declare as follows:

1. I was a writer for the animated television series *Family Guy*. The facts contained in this declaration are of my own personal knowledge, and I would and could competently testify thereto in a court of law if called to do so. I submit this declaration in support of Defendants' motion for summary judgment dismissing the claims of plaintiff Bourne Co. ("Plaintiff" or "Bourne").

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2. I was the primary writer of *Family Guy* episode titled “When You Wish Upon a Weinstein” (the “Episode”) that contains the song, “I Need a Jew” (the “Family Guy Song”) that is the subject of this action. As was our usual practice, the first step in developing the script for the Episode was to meet with all the *Family Guy* writers (there were about 15 to 17) in a room and “break the story.” Basically, we would all sit in the “writers’ room” to brainstorm and bounce ideas around that we had for the outline of the story to see what would work or would not work for the Episode. We would then go through the story, beat by beat, moment by moment, to establish the overall outline for the story. I was then designated to write the script for the Episode based upon the ideas and outline worked out in the writers’ room.

3. The overall theme of the Episode is about someone having an ignorant view of the world and the stereotypes that exist, but in the end the lesson – that no group of people is better (or worse) than another based upon a racial stereotype – is learned. The writing staff of *Family Guy*, while outlining the Episode’s story together, came up collectively with the idea that the Episode would be about how the main character, Peter, disappoints his wife Lois because he is bad with money, and how he believes that if he had a Jew, who he looked at as some kind of “magical” being that could help him with his finances, he could earn back Lois’s respect.

4. I decided to title the episode “When You Wish Upon A Weinstein” because early on in the story breaking process Seth MacFarlane (“MacFarlane”) had suggested that it would be fun to parody the iconic Walt Disney song “When You Wish Upon a Star” by, among other things, contrasting its “wholesome” message of hopefulness with the ridiculous and outlandish idea of “innocently” wishing for someone

based upon a racial stereotype. The writers agreed that it would be particularly funny to parody “When You Wish Upon a Star” because they were thinking of this fantastical story. We believed that if we were going to produce an episode that lampooned racial stereotypes by having Peter “innocently” engage in a kind of “reverse bigotry” of Jewish people, that it would be even more striking and humorous to put wrap it in the context of the most pure, innocent, “saccharin sweet” song representative of another era. Our intent to include this parody song informed my choice of a title and subsequently, I came up with “When You Wish Upon a Weinstein” as the title of the Episode, which is a play on the Song’s title “When You Wish Upon a Star.”

5. The Episode’s theme was ultimately guided by the idea that a parody of “When You Wish Upon a Star” would be included and that it would be used to evoke and make fun of the “innocence” of Peter dreaming of this Jewish person who would make all of his dreams possible. Part of the comedic and parodic message stems from this kind of “reverse Archie Bunker-like” situation of Peter singing about his ignorant views against the background of this iconic, wholesome, fairy tale song.

6. The decision to use “When You Wish Upon a Star” as the basis for the Family Guy Song was very important to us, because without the obvious “tongue-in-cheek” parody of this wholesome, idyllic song, our theme that invoked racial stereotypes might have appeared ugly and racist – which absolutely was not our intent or message. For our purposes, it was the perfect song, because it is about “fairy tale” wishing. Whereas usually you are wishing for world peace or for the world to be perfect, here, Peter is wishing for a Jew who is good with money to come into his life. This is the juxtaposition that makes the parody song especially funny.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing  
is true and correct.

Executed on this 18<sup>th</sup> day of April, 2008.

  
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Ricky Blitt